GOVERNMENT OF INDIA
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA

UNSTARRED QUESTION NO:2769
ANSWERED ON:02.08.2017
Lokpal
Ahlawat Smt. Santosh;Venugopal Shri K. C.

Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) the present status of establishment of Lokpal and Lokayuktas;
(b) the action taken by the Government on Parliamentary Standing Committee report on Lokpal and Lokayukta Bill;
(c) whether the current Lokpal and Lokayukta Bill does not specify the term of the jurist to be appointed on the recommendation of the PM and other members of the selection panel and if so, the details thereof and the reasons therefor;
(d) whether the Government is working on tying some loose ends in the Lokpal and Lokayukta Act, before it introduces an amendment Bill in Parliament and also proposes to introduce it in the current session; and
(e) if so, the details thereof and if not, the time frame fixed for the same?

Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office. (DR. JITENDRA SINGH)

(a)to(e): The Lokpal and Lokayuktas Act, 2013 came into force w.e.f. 16.01.2014.The Selection Committee under section 4(1) of the Act, constituted an eight Member Search Committee on 21.02.2014 in terms of section 4(3) of the Act. Two members of the Search Committee declined the offer of appointment. Looking into such difficulties experienced and also to remove certain difficulties in the operationalisation of the Act, the Government introduced the Lokpal and Lokayuktas and other related law (Amendment) Bill, 2014 in Lok Sabha on 18.12.2014. The Bill, inter-alia, includes providing for a fixed tenure of three years with no re-nomination for the eminent jurist, to be nominated in the Selection Committee under section 4(1)(e) of the Act. The Bill was referred to the Department −related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice for examination and report. The said Committee has submitted its report in the Parliament on 07.12.2015. The recommendations of the said Committee were presented before an Inter-Ministerial Committee (IMC) comprising seven Union Ministers. The recommendations of the IMC are under consideration of the Government.

Further, as per the provisions of Section 63 of the Lokpal and Lokayuktas Act, 2013:

"Every State shall establish a body to be known as the Lokayukta for the State, if not so established, constituted or appointed, by a law made by the State Legislature, to deal with complaints relating to corruption against certain public functionaries, within a period of one year from the date of commencement of this Act."

Thus, Section 63 of Lokpal and Lokayuktas Act, 2013 stipulates that it is the sole prerogative of State Government concerned to enact law in this regard. So, establishment of the institution of the Lokayukta including any appointment therein falls within the domain of the States.

*****